

E-FILED

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15 IN THE UNITED STATES DISTRICT COURT
16 FOR THE NORTHERN DISTRICT OF CALIFORNIA

17 UNITED STATES OF AMERICA,) No. CR-07-70081 PVT
18 Plaintiff,)
19 vs.) STIPULATION, WAIVER AND
20 JOKAELLE PORTER,) [PROPOSED] ORDER CONTINUING
21 Defendant.) PRELIMINARY HEARING AND
22 EXCLUDING TIME FOR INDICTMENT

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25 STIPULATION AND WAIVER

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27 The parties hereby stipulate and agree that the date of March 1, 2007 currently set for
28 preliminary hearing and/or arraignment may be continued for two weeks to March 15, 2007, at
29 9:30 a.m. Mr. Porter, by his signature below, further consents to extend by two weeks the time
30 for preliminary hearing under Rule 5.1 of the Federal Rules of Criminal Procedure. The purpose
31 of the requested continuance is to permit the defense to investigate Mr. Porter's prior record and
32 to facilitate the parties' efforts to reach a pre-indictment resolution. The parties further agree that
33 the intervening two weeks may be excluded from the time within which an indictment shall be
34 filed, as the reasonable time necessary for effective defense preparation under 18 U.S.C.
35 §3161(h)(8)(A) and (B)(iv).

1 Dated: February 22, 2007

2 s/
3 CYNTHIA C. LIE
4 Assistant Federal Public Defender

5 Dated: February 22, 2007

6 s/
7 JOKAELLE PORTER
8 Defendant

9 Dated: February 23, 2007

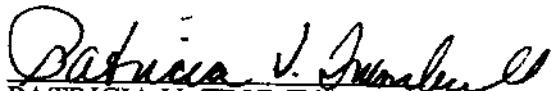
10 s/
11 THOMAS M. O'CONNELL
12 Assistant United States Attorney

13 **[PROPOSED] ORDER**

14 Good cause appearing and by stipulation of the parties, it is hereby ordered that the date
15 set for preliminary hearing and/or arraignment in the above-captioned matter shall be continued
16 from Thursday, March 1, 2007 to Thursday, March 15, 2007 at 9:30 a.m.

17 It is further ordered that 14 days shall be excluded from the time within which an
18 indictment shall be filed under the Speedy Trial Act, as the reasonable time necessary for
19 effective preparation of counsel, pursuant to 18 U.S.C. §3161(h)(8)(A) and (B)(iv).

20 Dated: February 26 2007

21 
22 PATRICIA V. TRUMBULL
23 United States Magistrate Judge

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